HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 26877 of 2007

17.12.2007

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Between:

Routhu Lachamma

… Petitioner

AND

The Special Collector (FAC),
LA SRSP, SSP & JCR GLIP,
Hyderabad & others

… Respondents

Counsel for the petitioner : Sri L. Prabhakara Reddy

Counsel for respondent Nos. 1 & 2 : Assistant Government Pleader for Land Acquisition

O R D E R:

This writ petition is filed for a writ of mandamus to direct respondent Nos. 1 and 2 to permit the petitioner to participate in the award enquiry in respect of lands and structures acquired under proceedings No. B3/1305/2007 dated 11.06.2007 and notification dated 11.06.2007 issued under Section 4(1) of the Land Acquisition Act, 1894 (for short, 'the Act').

In the affidavit filed in support of the writ petition, the petitioner claimed that she is the absolute owner of the property admeasuring Ac.3.30 guntas in Survey No. 847/A of Cheerlavancha Village, Sircilla Mandal, Karimnagar District and that the said property was proposed to be acquired under notification dated 11.06.2007 issued under Section 4(1) of the Act. According to the petitioner, on 22.08.2007, she

made a claim for compensation in respect of the said land. The apprehension of the petitioner is that respondent No.2, without giving her an opportunity of hearing, is seeking to finalize the award enquiry and pay compensation to respondent No.3, who is not concerned with the said property.

In the manner in which the writ petition is proposed to be disposed of, I do not feel it necessary to give notice to respondent No.3. Instead, in the wake of the apprehension expressed by the petitioner that she may not be heard by respondent No.2, I deem it proper to dispose of the writ petition in the following terms:

1) Respondent No.2 is directed to entertain the representation of the petitioner and consider the same before finalizing the award.

2) In the event a decision adverse to her interest is taken, the petitioner is free to avail the remedies open to her under law.

3) Till the decision is taken by respondent No.2, the compensation amount shall not be disbursed.

Ordered accordingly.

As a sequel to disposal of the writ petition, W.P.M.P.No. 35098 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

17.12.2007

Note:
Issue CC in three days.

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